

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

HORIZON PHARMA IRELAND LIMITED,
HZNP LIMITED and HORIZON PHARMA
USA, INC.,

Plaintiffs,

v.

ACTAVIS LABORATORIES UT, INC.,

Defendant.

Civil Action No. 14-cv-7992

(Consolidated with
Civil Action No. 15-cv-5025)

Hon. Noel L. Hillman, U.S.D.J.
Hon. Ann Marie Donio, U.S.M.J.

HORIZON PHARMA IRELAND LIMITED,
HZNP LIMITED and HORIZON PHARMA
USA, INC.,

Plaintiffs,

v.

ACTAVIS LABORATORIES UT, INC.,
ACTAVIS, INC. and ALLERGAN PLC,

Defendant.

Civil Action No. 15-cv-6131

HORIZON PHARMA IRELAND LIMITED,
HZNP LIMITED and HORIZON PHARMA
USA, INC.,

Plaintiffs,

v.

ACTAVIS LABORATORIES UT, INC.,
ACTAVIS, INC. and ALLERGAN PLC,

Defendant.

Civil Action No. 15-cv-6989

~~PROPOSED~~ **ORDER OF CONSOLIDATION FOR ALL PURPOSES
AND SCHEDULING ORDER**

Counsel having consented to the consolidation of the above-captioned matters for all purposes; and the Court finding that consolidating these matters would promote convenience and economy in judicial administration if the actions were heard in one proceeding, and that consolidating these actions would help avoid duplication of effort; and good cause appearing for the entry of the within Order:

IT IS on this 30th day of September 2015,

ORDERED that the above-captioned matters shall be, and are hereby, consolidated for all purposes under Civil Action No. 1:14-cv-7992; and it is

FURTHER ORDERED that the following deadlines shall apply to Civil Action Nos. 15-cv-6131 and 15-cv-6989, *i.e.*, U.S. Patent Nos. 9,101,591 (“the ‘591 patent”) and 9,132,110 (“the ‘110 patent”), in order to align the schedule in these actions with the schedule in Civil Action No. 1:14-cv-7992, the latter being set forth in the Scheduling Order No. 2 dated July 20, 2015 (D.E. 43).

Description	Deadlines for Civil Action Nos: 15-cv-6131 and 15-cv-6989
Plaintiffs’ Disclosure of Asserted Claims of the ‘591 and ‘110 patents	9/30/2015
Defendant’s Invalidity & Non-Infringement contentions (‘591 and ‘110 patents)	10/2/2015
Plaintiffs’ Responses to Invalidity Contentions & Infringement Contentions (‘591 and ‘110 patents)	10/15/2015
Telephone Status and Scheduling Conference for all patents including the ‘591 and ‘110 patent at 10:30 AM EDT/9:30 AM CDT, Counsel for Plaintiffs shall initiate the call	10/6/2015
Exchange Lists of Proposed Claim Terms for Construction (L. Pat. R. 4.1(a)) for the ‘591 and ‘110 patents. If there are no new terms identified, the parties will not engage in further exchanges	10/19/2015

Description	Deadlines for Civil Action Nos. 15-cv-6131 and 15-cv-6989
under L. Pat. R. 4.1(a), but instead submit a revised Joint Claim Construction and Prehearing Statement reflecting any additional claims containing the terms previously identified by the parties on September 16. Such statement will be filed no later than Oct. 26, 2015.	
If new terms are identified on Oct. 19 that were not previously identified in the parties' September 16 joint claim construction and prehearing statement, for any new term, the parties shall exchange Preliminary Claim Constructions (L. Pat. R. 4.2(a)) and Identification of intrinsic evidence and references from the specification or prosecution history supporting their proposed constructions, designation of supporting extrinsic evidence, and description of any witness' proposed testimony (L. Pat. R. 4.2(b))	10/21/2015
For new terms only, Exchange Identification of additional Intrinsic and Extrinsic Evidence each party intends to rely on in opposition to other party's proposed claim constructions (L. Pat. R. 4.2(c))	10/23/2015
Amended Joint Claim Construction and Prehearing Statement to include the '591 and '110 patents.	10/26/2015
Completion of all claim construction discovery (other than experts) (L. Pat. R. 4.4) (Dkt. 43)	10/16/2015
Opening <i>Markman</i> briefs and expert declarations due (L. Pat. R. 4.5) (Dkt. 43)	11/2/2015


 THE HONORABLE ANN MARIE DONIO
 United States Magistrate Judge